



State of New Jersey

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NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **06547-26 S.G.**

AGENCY DKT. NO. **C206637020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's reduction of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits amount, and challenges the imposition of a 30 percent contribution towards the cost of her Emergency Assistance ("EA") shelter costs. The Agency reduced the amount of Petitioner's WFNJ/GA benefits in order to satisfy the terms of Petitioner's EA service plan ("SP"), which requires a 30 percent contribution to shelter costs in accordance with regulatory authority. On June 12, 2026, the Honorable Mindy Gensler, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. The record was then held open to allow for additional submissions, which were received on June 23, 2026. Further submissions were made by Petitioner on June 24, 2026, including audio recordings, which necessitated the record be held open until July 1, 2026, to allow the Agency to review. On July 1, 2026, the ALJ received a position statement from the Agency, which was considered, however, the ALJ determined the record would be closed without accepting the additional documents submitted, including the audio files. The record was closed on July 1, 2026. On July 13, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on July 20 and 22, 2026.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency action, based on the discussion below.

"Recipients of emergency assistance ["EA"], including those receiving [Supplemental Security Income ("SSI")], shall contribute 30 percent of their total household income towards payment of all emergency shelter arrangements, including utilities[.]" See N.J.A.C. 10:90-6.5(a). The Agency may deduct the recipient contribution from the WFNJ cash assistance payment, and the Agency shall be responsible for forwarding the full shelter payment to the vendor/landlord. See N.J.A.C. 10:90-6.5(a).

Here, the record reflects that Petitioner, a Work First New Jersey/General Assistance ("WFNJ/GA") recipient began to receive EA benefits on March 6, 2026, in the form of temporary rental assistance ("TRA") and back rent. See Initial Decision at 3. At the time of the hearing, the ALJ concluded that a WFNJ recipient is only entitled to a fair hearing when they are adversely affected by an action of a county or municipal agency, pursuant to N.J.A.C. 10:90-9.3(a), and determined that, as a 30 percent contribution of income to housing costs is mandated by regulation, that Petitioner had not experienced an adverse determination. Ibid.; see also N.J.A.C. 10:90-6.5(a), -6.6(a). Accordingly, the ALJ dismissed the matter. Respectfully, I disagree.



Based upon an independent review of the record, in accordance with regulation referenced above, the terms of Petitioner's March 24, 2026, EA SP, require that her WFNJ/GA benefit amount be reduced by \$55 per month (30 percent of her monthly WFNJ/GA grant of \$185), which would be contributed to her rental costs. See Exhibit R-5 and N.J.A.C. 10:90-6.5(a). As such, Petitioner's WFNJ/GA benefits have been properly reduced to contribute to her rental costs, in accordance with applicable regulatory authority, and memorialized in her EA SP. Ibid. Accordingly, the Agency's reduction of Petitioner's WFNJ/GA benefits, to satisfy the housing contribution, must stand as the 30 percent Voluntary Restricted Payment ("VRP") is required in accordance with applicable regulatory authority, and Petitioner was advised of same in her EA SP. See N.J.A.C. 10:90-6.5(a), -6.6(a). The Initial Decision in this matter is modified to reflect these findings.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision in this matter is hereby MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. September 03, 2026

Natasha Johnson
Assistant Commissioner

